



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PLYMOUTH BEEF CO., INC.,

Plaintiff,

-against-

WONDER FOOD DISTRIBUTORS, et al.,

Defendants.

20-CV-4029 (PGG) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The Court has received and reviewed the parties' confidential settlement letters submitted in advance of the settlement conference currently scheduled for Tuesday, November 10, 2020. The Court reminds the parties that the "purpose of a Court-facilitated settlement conference is to settle the case if possible – not merely to begin a settlement dialogue," and that the Court "normally holds only settlement conference per case." Order Scheduling Settlement Conference (Scheduling Order) (Dkt. No. 40) ¶ 2. Accordingly, the Court directed the parties to "conduct at least one good-faith settlement discussion, in person or by telephone, and convey at least one good-faith demand or offer," prior to submitting their settlement letters. *Id.*

It appears that from the parties' settlement letters that they have not wholly complied with the Scheduling Order. As a threshold matter, although the parties' confidential settlement letters were due on November 3, 2020, the Court did not receive any submission defendants Wonder Food Distributors, David Hamedan, and Jack Hamedan until November 6, 2020 at 1:21 p.m., despite multiple courtesy calls from chambers staff. Moreover, it is apparent from a review of the settlement letters that the parties have not each made "at least one good-faith demand or offer" as required.

Accordingly, counsel are directed to meet and confer and submit a **joint confidential letter no later than Monday, November 9, 2020 at 2:00 p.m.**, confirming that the parties have in fact engaged in a good-faith settlement discussion and reporting each party's latest good-faith settlement demand or offer. The joint letter is to be submitted via email to Chambers_NYSDMoses@nysd.uscourts.gov. **If it is not received by 2:00 p.m. on November 9, 2020, the Court will adjourn the scheduled settlement conference.**

Dated: New York, New York
November 9, 2020

SO ORDERED.

A handwritten signature in blue ink that appears to read "Barbara Moses".

BARBARA MOSES
United States Magistrate Judge